

Surf Pines Breeze



Newsletter of the Surf Pines Association

Vol. XV, No. 2
January 2009

Inside this issue:

Spring Fling	2
Quick News	2
Recovery Almost Complete	4
Hearing Held	4
Hearing Scheduled	5
Security Corner	6
Do You Know...?	6
Social Calendar	7
For the Record	8

Committee Reviews Bylaws: Proposed Amendments Forthcoming

by Clarke Powers



At the Annual Meeting in 2008, in the context of a discussion of protecting property values in Surf Pines, the membership approved a motion that "a committee review the bylaws and report to the membership at the next Annual Meeting."

An ad hoc Bylaws Committee is currently reviewing the bylaws article by article by article. The committee will report to the membership at the next Annual Meeting, which is scheduled for Saturday, August 8, 2009, at 9:00 a.m. at the Astoria Golf and Country Club.

Proposed amendments to the bylaws are forthcoming at the Annual Meeting. Because the bylaws are the laws by which members of the association govern themselves, amendments to the bylaws significantly affect the association and its members.

Currently, the committee is considering amendments on the following subjects, some of which relate to protecting property values in Surf Pines:

- Forming a Compliance Committee
- Prohibiting temporary and pre-built residential structures
- Restricting parking of vehicles
- Clarifying members' responsibilities regarding the right of way
- Prohibiting dumping
- Requiring a permit for burning
- Controlling Scotch broom and tansy ragwort
- Resolving conflicts between the association's bylaws and a subdivision's CC&Rs
- Changing the fiscal year
- Requiring a biennial audit
- Clarifying Articles I and II

(Continued on page 2)



Committee Reviews Bylaws (Continued)

Summaries of the meetings of the committee are available at the Surf Pines web site: www.surfpines.org. On the home page, click the link for "Bylaws Review Meetings."

Committee meetings—open to all members of the association—are held at the meeting house on the dates and times that are posted in advance on the message boards at the gates. Committee members include Steve Dawson, Chairperson; Clarke Powers, Scribe; Robert Ball; Jack Faust; Art Limbird; Paul Peterson; and Marilou Sayer. To voice your opinion regarding proposed changes to the bylaws, either attend a meeting or contact a member of the committee.

Editors' note: Clarke Powers serves as the scribe for the ad hoc Bylaws Committee.



The committee is considering a list of amendments, including one prohibiting temporary and pre-built residential structures.



Enjoy a Fling This Spring: March 7, 6:00-9:00 p.m., 89026 Ocean Dr.

by Katie Weber

As winter begins, focus on spring—when you can enjoy a fling. You are invited to Spring Fling on Saturday, March 7, 2009, from 6:00 to 9:00 p.m. at the home of Gene and Norma Keever, 89026 Ocean Drive, the south end of the low road.

Expect a wine bar overflowing with tempting wines and a table full of tasty appetizers. And expect to meet old friends and new neighbors from Surf Pines.

The Community Relations Committee, sponsor of the party, asks that you join your friends and neighbors in bringing wine (or a non-alcoholic alternative) and an appetizer to share.

The season will be almost spring. Enjoy a fling.

Editors' note: Katie Weber co-chairs the Community Relations Committee.



Quick News

Attend Monthly Board Meetings

The monthly meetings of the Board of Directors—open to all members of the association—are held on the third Monday of each month at 4:30 p.m. at the meeting house. "Comments from the Membership" is always toward the top of the agenda.

On the weekend before a meeting, the agenda is available at the Surf Pines web site. Soon after a meeting, the minutes are available on the web at www.surfpines.org.

Attend to business by either attending the meetings or reading the minutes.



Quick News (Continued)

Plan to Attend the Annual Meeting

The next Annual Meeting of the Surf Pines Association, as announced by Dave Lukens, President, is scheduled for Saturday, August 8, 2009, at 9:00 a.m. at the Astoria Golf and Country Club. Mark your new calendar now and plan to attend then.

Volunteer for a Committee

Although you do not choose to live in Surf Pines just to volunteer your time, Surf Pines depends on volunteers like you. To volunteer for work on a standing committee, either Safety and Security, Roads and Grounds, or Community Relations, contact the committee chairperson. To volunteer for work on an ad hoc committee, either Budget or Nominations, contact, respectively, either the treasurer or the president. (For telephone numbers, addresses, and e-mail addresses, see page 8.) The new year is an appropriate time to resolve to volunteer for work on a committee.

Update Your Emergency Contact Information

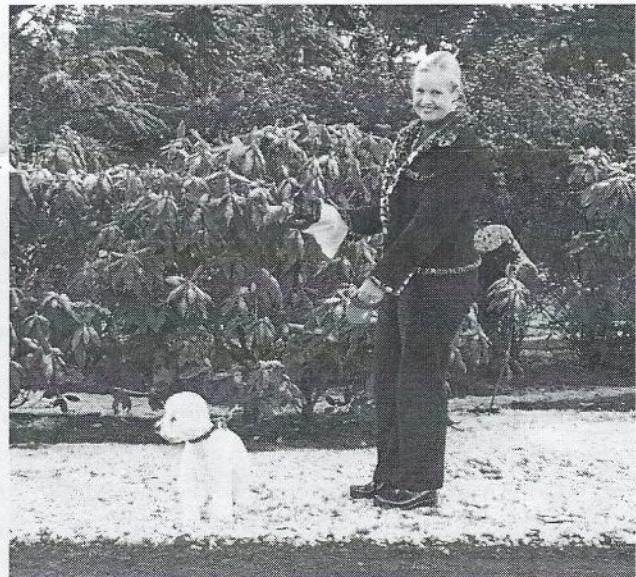
When, for example, the roof of your home in Surf Pines blows off during a wind storm, John Gates must have updated emergency contact information from you available to him in the office so that he can inform you of the emergency. If you have not updated your emergency contact information since John became the security/maintenance manager in June of 2007, update it pronto. Stop by the office to update your information in person. Or, if you are away from Surf Pines, then call 503-738-0637 to update your information via telephone.

Borrow Tables and Chairs for an Event

If you need extra tables and chairs for an event, then you can borrow as many as 10 round tables and 100 chairs from the association. A donation to the association of \$5 per table and \$1 per chair is requested. Contact either of the co-chairpersons of the Community Relations Committee, Katie Weber at 503-738-5986 or Bonnie Rogie at 503-717-1003.

Bag Your Dog's Feces

If you own a dog, then you either walk your dog or your dog walks you. You and your dog walk in the park, on the paths, and on the roadsides of Surf Pines—where your neighbors walk too. If you are a dog owner who bags your dog's feces during a walk, then accept your neighbors' thanks for your neighborly action. You can stop reading this item. If you cannot stop reading, then this item is for you. A consensus has formed among members, including members who own dogs. Members agree that a dog owner's not bagging his or her dog's feces is un-neighborly if the feces are either on association property where members are likely to walk, including in the park, on the paths, and on the roadsides, or in neighbors' yards. Please take the neighborly action.



Sally Allegaert always carries plastic bags when she walks Miss Paddie.



Recovery Almost Complete

by Dave Lukens

What a difference a year makes! On December 5, 2008, I played a round of golf in shirtsleeves. On December 5, 2007, I worked with a chainsaw all day, along with a host of other volunteers, opening the roads and driveways of Surf Pines after the devastating wind storm of December 1-3, 2007, that is now called the Great Coastal Gale.

If you were in Surf Pines either during or soon after that storm, which is increasingly regarded as the worst storm in our area on the modern record, then you no doubt have your memories of it. My best memories are of association members helping one another during and after the storm, of the volunteers opening the roads and driveways, of the board agreeing on a philosophy for the recovery that emphasized community responsibility, and of the membership voting overwhelmingly to support the recovery with a \$250 assessment.

A year later, the association's recovery from the storm is almost complete. The 3-phase recovery focused on the association's properties, the park, and the right of way.

Phase 1 was removing the trees that were either destroyed by the storm or damaged so severely that they could not be saved. This phase, managed by members of the Board of Directors and the Roads and Grounds Committee and performed by Trail's End Recovery, began early in January 2008 and was completed by the end of April 2008.

Phase 2 was pruning the trees that were damaged but could be saved. This phase, managed by members of the board and the committee and performed by Arbor Care Tree Specialists, was completed on the right of way in mid August 2008.

Phase 3 was replanting trees. This phase, managed by members of the board and the committee and performed by Lewis & Clark Nursery Landscaping, was completed on the right of way of Surf Pines Lane and the association's properties along Manion Drive in November 2008, just in time for the rains to increase the chances of success.

Only a bit of work in the park, including some pruning and replanting, remains to be completed. This work began in December 2008 and will be completed by February 2009.

The funds from the \$250 assessment, a total of \$98,250, have been used exclusively for the recovery. When the last bit of work is completed, an estimated \$10,835 will remain, held in reserve for recovery from the next storm.

Editors' note: Dave Lukens serves as the president of the Surf Pines Association.



Hearing Held Regarding Complaint about Condition of Property

On October 13, 2008, at the meeting house, the Board of Directors held a hearing to consider a complaint about the condition of the property of Michael Wilkin, Vice President, at 89961 Manion Drive. After Michael recused himself, Dave Lukens, President, reviewed the pertinent section of the bylaws, section 8.1(e), which requires members to maintain their property free of hazardous conditions and general nuisances.

Wayne Fleming, representing the complainants, reviewed the complaint, which stated that "the mass of dead trees [at 89961 Manion Drive] is an eyesore, an extreme fire hazard, which is certainly not in

compliance with our community bylaws.” Commenting on the language of the complaint, Wayne revised the phrase “an eyesore” to “a nuisance.” He argued that the dead trees on the property are a ‘blight on the neighborhood” that negatively affects property values.

Michael argued that what property owners do on their properties is their business, not the business of the association, with the exception that, according to the bylaws, owners are required to maintain their properties free of hazardous conditions and general nuisances. Stating that his property does not present a fire hazard in the opinion of Luke Colvin, an arborist with Arbor Care Tree Specialists, and that it does not present a fire hazard in the definitive opinion of Bill Eddy, the fire chief of the Gearhart Fire Department, Michael argued that, on the basis of these expert opinions, “there is no case to answer.”

Led by Dave, the board stated that, as it understands the bylaws, section 8.1(e) protects members and their properties from the physical danger of hazardous conditions, such as a fire hazard, and the physical danger of general nuisances, such as, in a previous case, vicious dogs running loose. The board stated that section 8.1(e) does not address aesthetic considerations, such as, in the case in question, dead trees on a property that do not present a fire hazard. The board agreed that, under the current bylaws, the property at 89961 Manion Drive does not present either a hazardous condition or a general nuisance.

Hearing Scheduled Regarding Wind Turbine and Bylaws



with photo by Lisa O’Grady

In early December 2008, a wind turbine was constructed on the property of William and Diane Dougherty at 89340 Ocean Drive. During the regular meeting of the Board of Directors on December 15, 2008, at the meeting house, the board listened to comments about the wind turbine from neighbors, listened to comments from William Dougherty, viewed a photograph, reviewed the bylaws, and determined that a violation of section 8.1(f) of the bylaws might have occurred regarding the placement of the wind turbine relative to the ocean-front setback line.

In accordance with the bylaws, a hearing to determine if, in fact, a violation has occurred is scheduled for Wednesday, February 11, 2009, at 4:30 p.m. at the meeting house.

However, that meeting might be moot. On December 19, 2008, as the *Breeze* went to press, the board received this e-mail message from William and Diane Dougherty: “After thinking about the wind turbine’s impact on the community, we have decided to remove it as soon as possible.”

Editors’ note: For the complete text of sections 8.1(e) and 8.1(f) of the bylaws, see either the *Owners’ Guide, 2008-2009*, pages 23-24, or the Surf Pines web site:
<http://surfpines.org/by-laws.htm>



After thinking about the impact of this wind turbine on the community, the Doughertys have decided to remove it.



Security Corner

by John Gates

I hope that you enjoyed a happy and healthy holiday! In the holiday spirit—and in the spirit of our Neighborhood Watch—I would like to remind you to keep a watch out for your neighbors. I appreciate the help from those of you who have called me to report strange cars and trucks and strange people in the driveways of neighbors who are away from their homes. If you will be away from your home, then let me know and I will keep a watch out for you too.

The unusually cold weather of December caused residents who were away from their homes when the cold hit to worry about frozen pipes. I received calls from several residents who, because of road conditions, could not travel here to disconnect garden hoses and cover outside faucets themselves. I did not mind doing this work for them. If you find yourself in this position, then let me know. It is easier for me to do this work for you than for you to replace frozen pipes.

I continue to receive numerous complaints about dogs either running loose or not on leashes. In one incident, a resident was bitten twice. Because of this incident, the county's Animal Control now patrols our neighborhood often. You might know that your dog is harmless, but whomever your dog runs up to might not know that. So please, for your dog's sake as well as your neighbor's sake, keep your dog either on a leash or in your yard.

In closing, I would like to remind everyone of the speed limit in Surf Pines. Please, let's all work to keep our speed at a maximum of **25 miles per hour** to ensure the safety of our residents, property, pets, and wildlife.

Editors' note: John Gates serves as the security/maintenance manager for the association.

Do You Know . . . ?

If your realtor holds an open house, if you hold a garage sale, or if you host a special event, such as a large party, then request a special gate code from John Gates, the security/maintenance manager, at least a week in advance.

This special gate code will provide access during the day and time of the open house, the sale, or the special event. Then the code will expire. The purpose of this procedure is to minimize strangers' access to Surf Pines, minimize the distribution of monthly visitor gate codes and personal gate codes, and thereby maximize security.

The Safety and Security Committee recommended this procedure to the Board of Directors during the regular meeting of the board on December 15, 2008, at the meeting house and the board approved it. Now that you know of it, tell your realtor about it before he or she holds another open house and remind yourself of it before you hold a garage sale or host a special event.

Patty and Vince Williams hosted graciously at the Annual Holiday Party. See photos on page 7 and colored photos at www.surfpines.org.





Surf Pines Social Calendar

with photos by Patrick Kelley and Katie Weber

The Surf Pines social calendar for 2008 concluded with the premier social event of the year, the Annual Holiday Party. Approximately 75 members attended the holiday party on Saturday, December 6, 2008, from 6:00 to 9:00 p.m. at the home of Vince and Patty Williams, 89880 Ocean Drive.

Vince and Patty hosted graciously in their home. Guests admired the renovation of the home. Formerly "Dolly's house," it is now "the Williams' home."

Arriving early and staying late, guests wined and dined and conversed. An Oregon pinot gris was a fine wine. Poached salmon, roast turkey, and baked ham were the entrees for the feast. And conversations, heard and overheard, ranged from pleasant to fascinating. The party epitomized the spirit of the season.





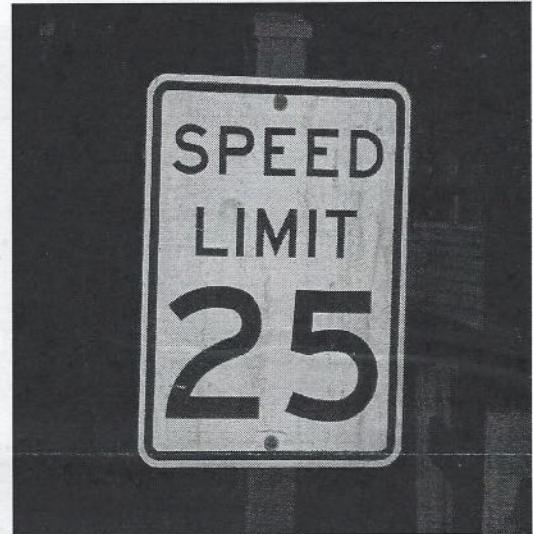
For the Record: Drivers Assessed for Speeding

Assessments are levied against drivers for exceeding the posted speed limits on the roads of Surf Pines.

Assessments are based on this schedule of fees currently in use by Oregon courts:

MPH in Excess of Posted Speed	Assessment
1-10	\$97
11-20	\$145
21-30	\$242
Over 30	\$427

According to the association's policy, notice of this action is published in the *Breeze*.



Surf Pines Association Board of Directors

President	Dave Lukens	89774 Surf Pines Landing Dr.	717-1284	dluke51@freedomnw.com
Vice President	Michael Wilkin	89961 Manion Dr.	861-0701	wilkin@ccalmr.ogi.edu
Treasurer	Bob McWhirter	89997 Surf Pines Landing Dr.	738-5758	bobmcwh@aol.com
Secretary	Patrick Kelley	33251 Pine Ridge Ct.	717-8460	roger_masse@sprynet.com
Director	Gheri Fouts	89531 Shady Pines Rd.	738-6434	ghfouts@msn.com
Administrator	Dan Bartlett	210 Waldorf Circle Astoria, OR 97103	791-8060	drbartlet@charter.net
COMMITTEES				
Safety & Security	Jeff Hall	89685 Manion Dr.	739-0893	jlh434@mac.com
Roads & Grounds	Don Kruger	90128 Manion Dr.	861-3815	dnkruger@msn.com
	Ken Weber	89783 Sea Breeze Dr.	738-5986	kkweber1@yahoo.com
Community Relations	Katie Weber	89783 Sea Breeze Dr.	738-5986	kkweber1@yahoo.com
	Bonnie Rogie	89825 Surf Pines Landing Dr.	717-1003	brogiel@verizon.net

The Surf Pines Breeze is a quarterly publication of the Surf Pines Association, 33317 Surf Pines Lane, Warrenton, Oregon 97146. Members are invited to contribute articles. Contact Roger Masse or Patrick Kelley at roger_masse@sprynet.com or at 33251 Pine Ridge Court.